

2015/5681/P – 5B Platt's Lane, NW3 7NP





Photo 1- View from the host dwelling to the back garden



Photo 2- Proposed location of the outbuilding to the left of the pond. Car park and Finchley Road located beyond fence



Photo 3- View from the proposed location of outbuilding towards host dwelling at ground floor level



Photo 4 – View from Finchley Road to rear garden of application site.

Delegated Report		Analysis sheet		Expiry Date:	02/03/2016
(Members' Briefing)		N/A		Consultation Expiry Date:	04/02/2016
Officer			Application Number(s)		
Kristina Smith			2015/5681/P		
Application Address			Drawing Numbers		
Flat B, 5 Platt's Lane London NW3 7NP			See Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of single storey outbuilding in rear garden for use as a dog grooming salon ancillary to the main use of the ground floor flat as a residential dwelling (Class C3).					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	21	No. of responses	08	No. of objections	08
			No. Electronic	00		
Summary of consultation responses:	<ul style="list-style-type: none"> • Site Notice displayed 14/01/2016– 04/02/2016 • Press advert published 14/01/2016– 04/02/2016 <p>The following addresses have objected to the proposals:</p> <ul style="list-style-type: none"> • Flat B, 344 Finchley Road • 3 Platt's Lane • 13 Platt's Lane • 9 Platt's Lane • 11 Platt's Lane <p>A summary of the objections are as follows:</p> <ol style="list-style-type: none"> 1. Noise from dog barking 2. Introduction of a business in a residential area 3. Congestion in terms of traffic and parking resulting from business use 4. The level of consultation regarding the planning application 5. Impact on conservation area 6. Set a precedent for other commercial activities 7. Proximity to windows at no.344 Finchley Road <p><i>Officer response</i></p> <ol style="list-style-type: none"> 1. <i>See para 4.3 of report</i> 2. <i>Planning permission is not required for the use of the outbuilding as a dog grooming salon as it would be of ancillary use to the residential use</i> 3. <i>See para 4.2 of report</i> 4. <i>21 neighbours were consulted on the application which included all adjoining properties. In addition a site notice was displayed on Platt's Lane and the application was advertised in the Ham & High.</i> 5. <i>See paras 3.4 and 3.5 of report</i> 6. <i>All future applications will continue to be assessed on their own merits.</i> 7. <i>The outbuilding would be positioned close to windows at no.344 however no overlooking or privacy issues would arise as a result. It is an unusual situation that side elevation windows are in such close proximity to a private garden and it is considered that this should not act as a constraint to the development.</i> 					

Redington Frogmal Association has objected on the following grounds:

1. Use of a private garden for the purpose of running a dog grooming businesses
2. Contrary to the Redington Frogmal Conservation Area policy (RF1) on rear garden development
3. Building size is excessive in relation to the small garden
4. Harmful to the amenity of neighbouring properties, which overlook the garden.
5. Noise levels and disturbance.
6. Such a business is unsuited to a Conservation Area

Officer Response

1. *Planning permission is not required for the use of the outbuilding as a dog grooming salon as it would be of ancillary use to the residential use*
2. *It is considered that policy RF1 refers to substantial rear garden developments and therefore the proposal does not contravene policy RF1.*
3. *See para 3.3 of report*
4. *The proposal is not considered to have an adverse impact on the amenity of neighbouring properties.*
5. *The noise levels will be constrained by the operation plan set out in the Design & Access statement.*
6. *It is not considered that the proposed ancillary use would harm the character or appearance of the conservation area.*

**CAAC/Local groups*
comments:**
*Please Specify

Site Description

The application site is located at the southern end of Platt's Lane, close to the junction with Finchley Road. 5B is a ground floor flat, within a 4 storey semi-detached property. The application site also owns the rear garden area which can be accessed from the house and via a separate gated access to the side of the property.

The application site is located within the Redington Froggnal Conservation area. The Redington Froggnal Conservation area statement refers to it as a positive contributor.

Relevant History

None

Relevant policies

National Planning Policy Framework 2012

London Plan 2015, consolidated with amendments since 2011

LDF Core Strategy and Development Policies

Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

Supplementary Planning Guidance

Redington Froggnal conservation area statement (2000)

Camden Planning Guidance

CPG1 (Design) 2015

CPG6 (Amenity) 2011

Assessment

1.0 Proposal

1.1 The applicant seeks planning permission for the following:

- Erection of single storey outbuilding in rear garden for use as a dog grooming salon

2.0 Issues

2.1 The main planning considerations in the assessment of this application are:

- Design (the impact that the proposal has on the character and appearance of the host property, the surrounding area, as well as that of the wider Redington Froggnal Conservation Area)
- Amenity (the impact of the proposal on the living conditions of adjoining occupiers)

3.0 Design and impact on conservation area

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

3.2 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

3.3 The size, scale and bulk of the proposed structure are considered to be acceptable given the size of the rear garden which measures approximately 153sqm. The proposed measurements are 4m wide x 3m deep. It would have a pitched roof of 2.65m at the highest point and 2.2m at the eaves. It would therefore occupy less than 10% of the rear garden and can be considered of subordinate size. The position of the outbuilding in the rear part of the garden but set away from the site boundary ensure that it will not impact on the ability to have mature planting on the boundaries which is characteristic of the area.

3.4 The outbuilding would be constructed of timber with a felt roof and concrete base. There would be three double glazed timber framed windows to the front, side and rear elevation. The materials are considered acceptable and would not harm the character of appearance of the conservation area. The proposals would be visible from adjoining properties on Platt's Lane and Finchley Road. As a result of the property adjoining Finchley Road there would be some visibility of the rear of the outbuilding from the public realm however this is considered to be very limited. There are several examples of timber sheds and outbuildings as well as rear extensions and conservatories in the local area.

3.5 It is considered that the proposed outbuilding would not be out of keeping with the pattern of garden development in the vicinity of the site and would conserve and enhance the character and appearance of the Redington/Froggnal Conservation Area.

4.0 Amenity

4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore, Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would

not harm the amenity of neighbouring residents.

4.2. Traffic

The applicant plans to pick up and return the dogs from their home on foot, with those clients wishing to drop their dogs off themselves encouraged to walk. It is therefore not considered that the proposals would result in increased traffic or congestion.

4.3. Noise

The application site is situated in an existing noisy location as a result of the heavy flow of traffic on the adjacent Finchley Road. The cabin would be well insulated with timber walls and double glazed windows and would be situated at the far end of the garden in the corner away from the host dwelling and the adjoining neighbours on Platt's Lane. Furthermore the dog grooming salon would only be in operation from Monday to Friday between 10.00am and 4.30pm. It is therefore considered that any additional noise from the dogs would be minor relative to the existing noise and not a sufficient reason to refuse the application.

4.4 Privacy/ overlooking/ daylight

Given the proposed position, height and location of the windows on the proposed structure it is considered that the proposals would not have an adverse impact on the amenity of the neighbouring properties in terms of privacy, overlooking or daylight.

4.5 Intensification of use

It is considered that the dog grooming business would be an ancillary use to the host dwelling. The Design & Access Statement (dated Jan 2016) sets out the operational arrangements for the dog grooming business. It would be a low intensity business operating during 10.00am to 4.30pm Monday to Friday. There would be a maximum of 3 dogs groomed at the salon per day with 1 dog at any one time, and would operate strictly by appointment only.

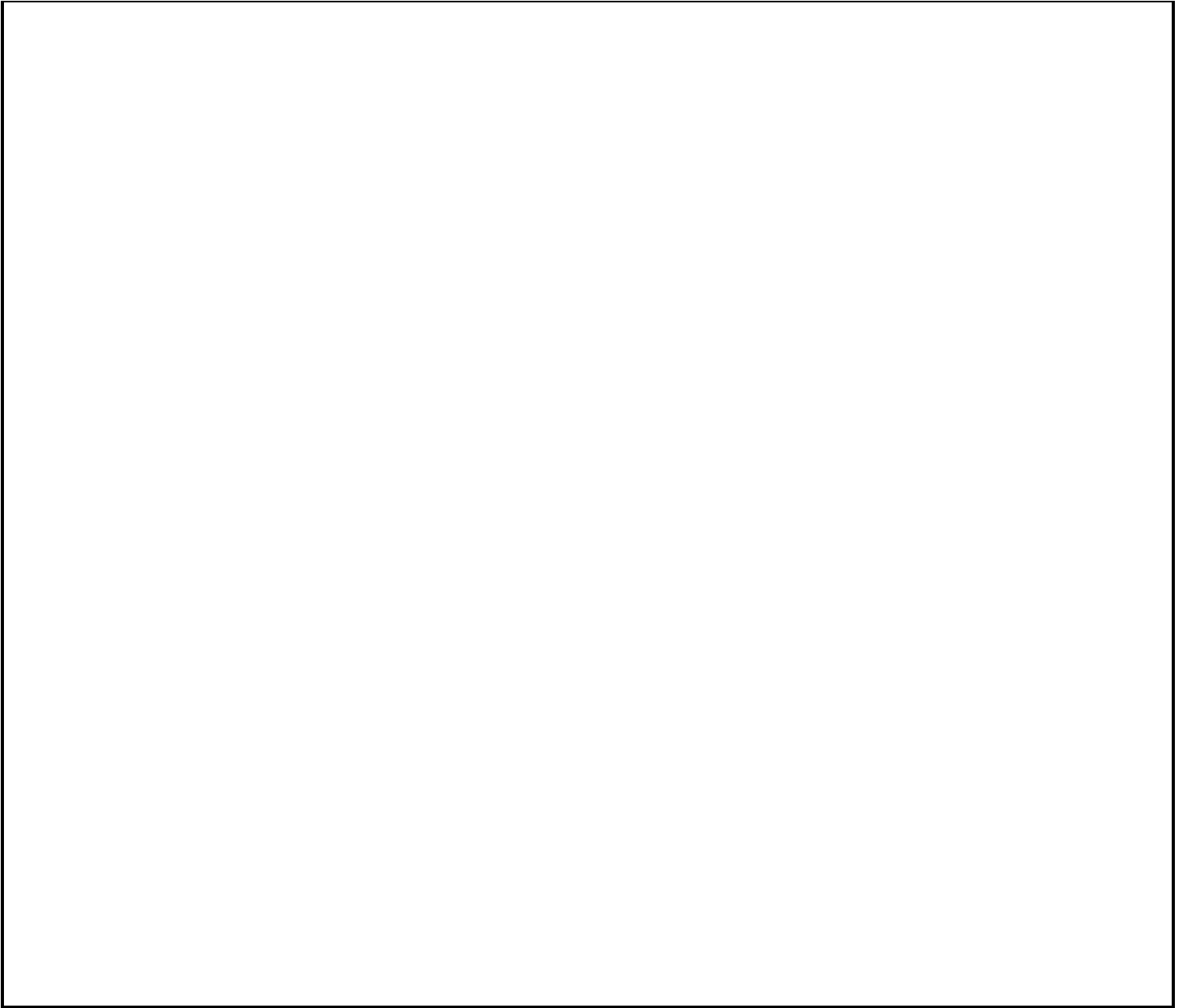
If the use were to intensify beyond what is specified in the Design and Access Statement the dog grooming business would no longer be considered ancillary to the main of use the property as a residential dwelling and planning permission for a change of use would be required. Any future application would be assessed on its merits.

5.0 Recommendation

5.1 Grant Conditional planning permission.

DISCLAIMER

Decision route to be decided by nominated members on Monday 22nd January 2016. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.



Miss Elizabeth Shorts
Flat B, 5 Platts Lane
London
NW3 7NPApplication Ref: **2015/5681/P**
Please ask for: **Kristina Smith**
Telephone: 020 7974 **4986**

18 February 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission GrantedAddress:
**Flat B
5 Platt's Lane
London
NW3 7NP****DECISION**Proposal:
Erection of single storey outbuilding in rear garden for use as a dog grooming salon
Drawing Nos: Site Location Plan; 1100 P 100; 1100 P 101; Design & Access Statement
dated Jan 2016The Council has considered your application and decided to grant permission subject to the
following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three
years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and
Country Planning Act 1990 (as amended).

Director of Culture & Environment



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; 1100 P 100; 1100 P 101; Design & Access Statement dated Jan 2016

Reason:
For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 The use of the development as a dog grooming salon is considered to be ancillary use to the host dwelling. The proposed activity must comply with the operation plan as set out in the Design & Access Statement (dated Jan 2016). Any intensification of activity is likely to require planning permission.
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

DRAFT

DECISION